

The Public Service Commission State of South Carolina

Jocelyn Boyd
Chief Clerk/Executive Director
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COMMISSIONERS
Comer H. "Randy" Randall, Third District
Chairman
Justin T. Williams, Sixth District
Vice Chairman
John E. "Butch" Howard, First District
Florence P. Belser, Second District
Thomas J. "Tom" Ervin, Fourth District
Swain E. Whitfield, Fifth District
G. O'Neal Hamilton, Seventh District

Clerk's Office
Phone: (803) 896-5100
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August 30, 2019

Corporation Service Company
Agent for Tempo Telecom, LLC
1703 Laurel Street
Columbia, South Carolina 29201

On August 20, 2019, the South Carolina Office of Regulatory Staff (ORS) filed a report with the Public Service Commission of South Carolina (the Commission) on the 2019 Annual Reporting for Eligible Telecommunications Carriers for Low Income and High Cost Support Reporting. In this letter, the ORS stated certain Low Income (Lifeline only) Competitive Eligible Telecommunications Carriers (CETCs) had failed to file a report or failed to file a complete annual report as required. Additionally, the ORS stated in its letter that it had communicated with the non-compliant CETCs concerning the required annual report.

During its Regularly Scheduled Commission Business Meeting on August 28, 2019, the Commission ordered that a hearing be set and noticed to address why the ETC designation of the carriers listed in the ORS's letter of August 20, 2019, should not be revoked for failure to provide annual reports meeting the requirements of S.C. Code Ann. Regs. 103-690.1.

Please find enclosed, in accordance with Commission Order No. 2019-619, a Rule to Show Cause and Notice of Hearing and Prefile Testimony Deadlines and a Prefile Testimony Deadline Letter, and a copy of Order No. 2019-619.

Sincerely,

Clerk's Office

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CLERK'S OFFICE

RULE TO SHOW CAUSE AND NOTICE OF HEARING AND PREFILE TESTIMONY DEADLINES

DOCKET NO. 2019-14-C

Request for Certification of the Use of Universal Service Funds Pursuant to 47 C.F.R. 54.314 and Telecommunications Act Section 254(e), Federal Communications Commission CC Docket No. 96-45 (2019) and Annual Reports for ETC

During the Public Service Commission's (Commission) regularly scheduled Commission Business Meeting on August 28, 2019, the Commissioners unanimously approved the following motion as set forth in Commission Order 2019-619:

S.C. Code Ann. Regs. 103-690.1 requires that annual reports be filed by June 30 of each year. The regulation requires the report to cover the previous twelve months ending December 31 of the previous year. These annual reports are due to be filed with this Commission and a copy provided to the Office of Regulatory Staff (ORS) by June 30th of each year. Filing by June 30th means no later than June 30 of each year.

ORS has communicated with those carriers who have not yet filed annual reports. Subsequent to ORS's letter to this Commission, one carrier has filed a report out of time, but that report does not appear to include or address all the information required by Regulation 103-690.1.

I move that a hearing be set and noticed to address why the ETC designation of the carriers listed in ORS's letter of August 20, 2019, should not be revoked for failure to provide annual reports meeting the requirements of S.C. Code Ann Regs. 103-690.1. Carriers who have not complied with the annual filing requirements must appear and show why their ETC designations should not be revoked.

If annual reports which are compliant with the requirements of S.C. Code Ann. Regs. 103-690.1 are received prior to the scheduled hearing, then the carrier filing annual reports compliant with the regulation will be removed from the Rule to Show Cause.

I further move that this directive be the order in this matter and that this order be served on the noncompliant carriers listed in ORS's letter.

PLEASE TAKE NOTICE that a hearing, pursuant to 10 S.C. Code Ann. Regs. 103-817 and Commission Order No. 2019-619, on the above matter has been scheduled to begin on **Wednesday, October 09, 2019, at 10:00 a.m.**, before the Commission in the Commission's Hearing Room at 101 Executive Center Drive, Suite 100, Saluda Building, Columbia, South Carolina 29210.

INSTRUCTIONS TO ALL PARTIES OF RECORD (Applicant, Petitioners, and Intervenors only), pursuant to 10 S.C. Code Ann. Regs. 103-845:

1. The **Respondents** must prefile with the Commission one copy of the direct testimony and exhibits of the witnesses it intends to present and serve the testimony and exhibits of the witnesses on all Respondents on or before **September 11, 2019** (must be post-marked on or before this date).
2. The **Office of Regulatory Staff (ORS)** must prefile with the Commission one copy of the direct testimony and exhibits of the witnesses they intend to present and serve the testimony and exhibits of the witnesses on all Parties of Record on or before **September 18, 2019** (must be post-marked on or before this date).

Docket No. 2019-14-C

Rule to Show Cause and Notice of Hearing and Prefile Testimony Deadlines

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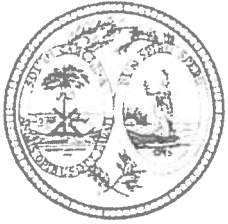
3. The **Respondents** filing **Rebuttal Testimony** must prefile with the Commission one copy of the testimony and exhibits of the witnesses it intends to present and serve the testimony and exhibits of the witnesses on all Respondents on or before **September 25, 2019**. (Rebuttal testimony and exhibits must be in the offices of the Commission and in the hands of the parties on this date.)
4. The **ORS** filing **Surrebuttal Testimony** must prefile with the Commission one copy of the testimony and exhibits of the witnesses they intend to present and serve the testimony and exhibits of the witnesses on all Parties of Record on or before **October 2, 2019**. (Surrebuttal testimony and exhibits must be in the offices of the Commission and in the hands of the parties on this date.)

Please be advised that failure to comply with the instructions contained herein could result in your proposed witnesses' testimony and exhibits being excluded in the subject proceeding. Additionally, please note that failure to comply with the above on or before the dates indicated may result in the DISMISSAL of your pleading.

For the most recent information regarding this docket, including changes in scheduled dates included in this Notice, please refer to www.psc.sc.gov and ***Docket No. 2019-14-C***.

Persons seeking information about the Commission's procedures should contact the Commission at (803) 896-5100 or visit its website at www.psc.sc.gov.

8/30/19



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August 30, 2019

IN RE: DOCKET NO. 2019-14-C - Request for Certification of the Use of Universal Service Funds Pursuant to 47 C.F.R. 54.314 and Telecommunications Act Section 254(e), Federal Communications Commission CC Docket No. 96-45 (2019) and Annual Reports for ETC

TO: ALL PARTIES OF RECORD
Pursuant to 10 S.C. Code Ann. Regs. 103-845:

1. The **Respondents** must prefile with the Commission 1 copy of the direct testimony and exhibits of the witnesses it intends to present and serve the testimony and exhibits of the witnesses on all Parties of Record on or before **September 11, 2019** (must be post-marked on or before this date).
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4. The **ORS** filing **Surrebuttal Testimony** must prefile with the Commission 1 copy of the testimony and exhibits of the witnesses they intend to present and serve the testimony and exhibits of the witnesses on all Parties of Record on or before **October 2, 2019** (Surrebuttal testimony and exhibits must be in the offices of the Commission and in the hands of the parties on this date).

Please be advised that failure to comply with the instructions contained herein could result in your proposed witnesses' testimony and exhibits being excluded in the subject proceeding. Additionally, please note that failure to comply with the above on or before the dates indicated may result in the DISMISSAL of your pleading.

Sincerely,

Clerk's Office

Action Item 1

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>August 28, 2019</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2019-14-C</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u>2019-619</u>

THIS DIRECTIVE SHALL SERVE AS THE COMMISSION'S ORDER ON THIS ISSUE.

SUBJECT:

DOCKET NO. 2019-14-C - Request for Certification of the Use of Universal Service Funds Pursuant to 47 C.F.R. 54.314 and Telecommunications Act Section 254(e), Federal Communications Commission CC Docket No. 96-45 (2019) and Annual Reports for ETC - Staff Presents for Commission Consideration the Office of Regulatory Staff's Request to Suspend, for Thirty Days, the ETC Designations of Certain Eligible Telecommunications Carriers Not Having Timely Submitted Low Income and High Cost Support Reporting and, upon Completion of Suspension Timeframe, to Revoke the ETC Designations of Such Carriers as Remain Out of Compliance, with Notification of Same Forwarded to the Federal Communications Commission.

COMMISSION ACTION:

S.C. Code Ann. Regs. 103-690.1 requires that annual reports be filed by June 30 of each year. The regulation requires the report to cover the previous twelve months ending December 31 of the previous year. These annual reports are due to be filed with this Commission and a copy provided to the Office of Regulatory Staff by June 30th of each year. Filing by June 30th means no later than June 30 of each year.

ORS has communicated with those carriers who have not yet filed annual reports. Subsequent to ORS's letter to this Commission, one carrier has filed a report out of time, but that report does not appear to include or address all the information required by Regulation 103-690.1.

I move that a hearing be set and noticed to address why the ETC designation of the carriers listed in ORS's letter of August 20, 2019, should not be revoked for failure to provide annual reports meeting the requirements of S.C. Code Ann Regs. 103-690.1. Carriers who have not complied with the annual filing requirements must appear and show why their ETC designations should not be revoked.

If annual reports which are compliant with the requirements of S.C. Code Ann. Regs. 103-690.1 are received prior to the scheduled hearing, then the carrier filing annual reports compliant with the regulation will be removed from the Rule to Show Cause.

I further move that this directive be the order in this matter and that this order be served on the non-compliant carriers listed in ORS's letter.

PRESIDING: RandallSESSION: RegularTIME: 2:00 p.m.

	MOTION	YES	NO	OTHER
BELSER	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ERVIN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
RANDALL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
WILLIAMS	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(SEAL)



RECORDED BY: J. Schmieding